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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) CR. S-04-0019 MCE
12)
Plaintiff,) STIPULATION AND ORDER
13) CONTINUING HEARING ON MOTION
v.) TO SUPPRESS EVIDENCE
14)
15)
RODNEY BUTLER,)
16)
Defendant.)
_____)

17 Defendant Rodney Butler has filed a motion to suppress evidence
18 scheduled for hearing before the court on July 26, 2005 at 11:00
19 a.m. The parties agree and stipulate that this hearing be continued
20 until August 9, 2005 at 11:00 a.m.

21 The government has filed a supplemental opposition in response
22 to the motion to suppress evidence and provided defense counsel with
23 documents that demonstrate that Rodney Butler was not the owner of
24 the subject Camaro on May 27, 2003, the date the vehicle was
25 searched. In light of this new information, defendant wishes to
26 file an additional declaration. The parties believe that once
27 defendant has filed an additional declaration the factual record
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1 will be complete and there will not be a need to call witnesses on
2 August 9, 2005.

3 McGREGOR W. SCOTT
4 United States Attorney


5 DATED: July 21, 2005

By /s/ Mary L. Grad
6 MARY L. GRAD
Assistant U.S. Attorney

7 /S/ David M. Dudley
8 DAVID M. DUDLEY
Counsel for Rodney Butler

9 IT IS SO ORDERED.

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11 DATED: July 27, 2005

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15 MORRISON C. ENGLAND, JR.
16 UNITED STATES DISTRICT JUDGE
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